

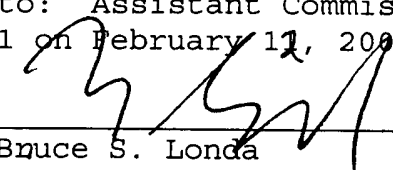


4

PATENTS

MAIL CERTIFICATION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on February 11, 2002.


Bruce S. Londa

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Docket No.:
101215-68

EXAMINER : To be assigned

GROUP ART UNIT : 1645

APPLICANT : Frank-Roman Lauter et al.

APPLN. NUMBER : 09/922,449

FILED : August 3, 2001

FOR : Test kit and method for quantitatively
detecting genetically modified DNA in
foodstuff by means of fluorescence-coupled
PCR

SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,
AND/OR AMENDMENT PERTAINING THERETO
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE
AND/OR AMINO ACID SEQUENCE

Box Sequence
Hon. Assistant Commissioner of Patent
Washington, D.C. 20231

Sir:

1. This is in response to the Office Letter mailed October 18, 2001, a copy of which is enclosed. The updated sequence listing is enclosed.



IDENTIFICATION OF DECLARANT

2. I, Bruce S. Londa, state the following:

ITEMS BEING SUBMITTED

3. Submitted herewith is/are

- a) "Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in this application. Each "Sequence Listing" is assigned a separate identifier as required in 37 CFR 1.821(c) and 37 CFR 1.822 and 1.823.
- b) An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 CFR 1.821(d).
- c) A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 1.821(e) and 1.824.
- d) A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 CFR 1.821(g).
- e) Because this submission is made in fulfilling the requirement under 37 CFR 1.821(g), a statement that the submission includes no new matter.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/922,449	08/03/2001	Frank-Roman Lauter	101215-68

27387
BRUCE LONDA
NORRIS, MCLAUGHLIN & MARCUS, P.A.
220 EAST 42ND STREET, 30TH FLOOR
NEW YORK, NY 10017

CONFIRMATION NO. 1778

FORMALITIES LETTER



OC000000006932548

Date Mailed: 10/18/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

03/06/2002 CMGUYEN 00000025 141263 09922449

01 FC:105 130.00 CH

- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Response To Notice To File Missing Parts Of Application

Filing Date Granted (PTO-1533)(Large Entity)

FEB 26 2002

Docket No.

101215-68

In Re Application Of: Frank-Roman Lauter et al

Serial No.
09/922,449

Filing Date
August 3, 2001

Examiner
TBA

Group Art Unit
TBA

Invention: Test Kit and Method for Quantitatively Detecting Genetically Modified DNA in Foodstuff by Means of Fluorescence-coupled PCR

COPY OF PAPERS
ORIGINALLY FILED

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on Feb. 12, 2002
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

- 1) Sequence Listing amendment with sequence listing in computer readable format and paper copy;
- 2) Copy of Proof of Change of Name of third inventor from Roger Stasche to Roger Petersen and an English translation thereof; and
- 3) Certified Copy of German Priority application serial no. 199 06 169.6 filed February 8, 1999.

03/06/2002 CHUYEN 00000025 141263 09922449
02 FC:116 400.00 CH

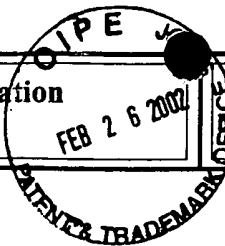
DISK TO STIC

DATE:



Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)

Docket No.
101215-68



In Re Application Of: Frank-Roman Lauter et al

Serial No.
09/922,449

Filing Date
August 3, 2001

Examiner
TBA

Group Art Unit
TBA

Invention: Test Kit and Method for Quantitatively Detecting Genetically Modified DNA in Foodstuff by Means of Fluorescence-coupled PCR

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

COPY OF PAPERS
ORIGINALLY FILED

☒ Completion of application fees as calculated below:

☐ Utility application filing fee

☐ Design application filing fee

☐ Total number of independent claims = _____

☐ Total number of claims = _____

☐ Multiple dependent claims

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath \$130.00

☐ Petition and fee for filing by other than all the inventors or a person not the inventor

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

Total completion of application fees \$130.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☒ Two months ☐ Three months ☐ Four months ☐ Five months

from: Dec. 18, 2001 until: Feb. 18, 2002
Date *Date*

Total time extension fees \$400.00

Total fees due \$530.00

Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)

Docket No.
101215-68

In Re Application Of: Frank-Roman Lauter et al

Serial No.
09/922,449

Filing Date
August 3, 2001

Examiner
TBA

Group Art Unit
TBA

Invention: Test Kit and Method for Quantitatively Detecting Genetically Modified DNA in Foodstuff by Means of Fluorescence-coupled PCR

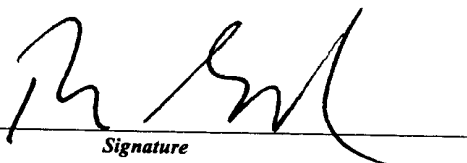
TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

COPY OF PAPERS
ORIGINALLY FILED

The fee of \$530.00 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 14-1263
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 14-1263
A duplicate copy of this sheet is enclosed.


Signature

Dated: Feb. 12, 2002

Bruce S. Londa (33,531)
Norris, McLaughlin & Marcus P.A.
220 East 42nd Street, 30th Floor
New York, NY 10017
Telephone: 212-808-0700
Facsimile: 212-808-0844

I certify that this document and fee is being deposited on Feb. 12, 2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Signature of Person Mailing Correspondence

Bruce S. Londa

Typed or Printed Name of Person Mailing Correspondence

CC: